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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/787,594

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Henning Molsen

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7590

05/18/2005

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EXAMINER

NGUYEN, HOAN C

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/787,594

Applicant(s)

MOLSEN ET AL.

Examiner

HOAN C. NGUYEN

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2004.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
4a) Of the above claim(s) 1-50, 52, 53, 55-80, 83 and 84 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 51, 54, 81 and 82 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Applicants amended claims 51, 80-82 and added new claims 83-84 in the amendment filed on 05 September 2003. Claims 1-50, 60, 62, 65, 69, 71, 73-77 and 79-80 are withdrawn.

Petition for revival of application on 15 October 2004 filed the following election:

Election/Restrictions

Applicant's election without traverse of Group I and Species A (claims 51, 54 and 82) in the reply filed on 15 October 2004 is acknowledged.

Claim 82 depends on claim 81, which depends on the generic claim 51. Therefore, claim 81 also considers in this office action.

Claims 1-50, 52-53, 55-80 and 83-84 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 15 October 2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2871

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al. (US6195140B1) and in view of Eichenlaub (US5428366A).

Kubo et al. teach (Figs. 8-10) a transfective display comprising

- a liquid crystal divided into a plurality of pixels (pixel electrodes 49),
- addressing means (driving element 43) for addressing each pixel and switching each pixel between different states resulting in different levels of transmission of light through the display,
- a backlight 58 located behind the liquid crystal,
- a partially reflective mirror 50 located between the liquid crystal the backlight for both reflecting ambient light back through the liquid crystal and allowing transmission of light from the backlight through the liquid crystal characterized in that each pixel is provided with a color light filter 53.

However, Kubo et al. fail to disclose a transfective display with the backlight comprising a plurality of sequentially flashing light sources.

Eichenlaub teaches (Fig. 4) a LCD display with the backlight comprising a plurality of sequentially flashing light sources for overcoming the image breakup phenomena (col. 8 lines 54-58).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify a transfective display as Kubo et al. disclosed with the backlight comprising a plurality of sequentially flashing light sources for overcoming the image breakup phenomena as taught by Eichenlaub (col. 8 lines 54-58).

2. Claims 54 and 81-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al. (US6195140B1) and in view of Eichenlaub (US5428366A) as applied to claim 51, and further in view of Handschy et al. (US5347378A).

Kubo et al. fail to disclose a transfective display, in which LC is formed a Pi cell.

Handschy et al. teach (col. 2 lines 51-58) a nematic liquid crystal "Pi-cell" has the ability to switch between colors with a voltage level at a significantly faster rate. The nematic liquid crystal inherently has substantially parallel surface director orientation.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify a transfective display as Shimada et al. disclosed with a nematic liquid crystal "Pi-cell" for switching between colors with a voltage level for providing frame-sequential color displays at fast rate (col. 2 lines 51-58).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (571) 272-2296. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim H. Robert can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOAN C. NGUYEN
Examiner
Art Unit 2871

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DUNG T. NGUYEN
PRIMARY EXAMINER